

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

**FILED**

FEB 27 2014

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

Laronte Dominépt Simmons )

\_\_\_\_\_ )

\_\_\_\_\_ )

(Enter above the NAME of the  
plaintiff in this action.)

v.

J. Hurst )

\_\_\_\_\_ )

\_\_\_\_\_ )

(Enter above the NAME of each  
defendant in this action.)

3:14-CV-72  
Collier/Shirley

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS  
(42 U.S.C. Section 1983)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES ( ) NO (X)

B. If your answer to A is YES, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiffs: N/A

Defendants: N/A

2. COURT: (If federal court, name the district; if state court, name the county):  
N/A
3. DOCKET NUMBER: N/A
4. Name of Judge to whom case was assigned: N/A
5. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit: N/A
7. Approximate date of disposition: N/A

II. PLACE OF PRESENT CONFINEMENT: Knox Co. Sheriff Detention Facility

- A. Is there a prisoner grievance procedure in this institution? YES (☒) NO ( )
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure?  
YES (☒) NO ( )
- C. If your answer is YES,
1. What steps did you take? I fill out the grievance  
and put every body name in it that had something to do with it
2. What was the result? they apologize to me and said it  
will never happen again and I didn't agree with it  
and I'm waiting on it to come to me again
- D. If your answer to B is NO, explain why not. N/A
- E. If there is no prison grievance procedure in the institution, did you complain to the prison authorities? YES ( ) NO ( ) N/A
- F. If your answer is YES,
1. What steps did you take? N/A

2. What was the result? N/A

### III. PARTIES

(In item A below, please place your name in the first blank and place your present address in the second blank. Do the same for any additional plaintiffs.)

A. Name of plaintiff: Lavonte Dominique Simmons

Present address: KCSODF 5001 Maloneyville rd. Knoxville, TN 37918

Permanent home address: 30 Fairlawn Dr. Rocky Mount VA. 24151

Address of nearest relative: 30 Fairlawn Dr. Rocky Mount VA. 24151

(In item B below, place the FULL NAME of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the additional names, positions, and places of employment of any additional defendants.)

B. Defendant: J. Hurst

Official position: Correctional Officer

Place of employment: Knox Co Detention Facility, 5001 Maloneyville rd. Knoxville, TN 37918

C. Additional defendants: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### IV. STATEMENT OF CLAIM

(State here as briefly as possible the FACTS of your case. Describe how EACH defendant is involved. Include also the names of other persons involved, dates and places. DO NOT give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.)

Correctional Officer J. Hurst is being sued in his own individual  
Capacity when on August 14, 2013 between 11:50 and 12:50 in the

after noon I Mr. Lavonte D. Simmons received a bonding visit while being housed in unit 6 pod C. Said visit was being held up stairs on the second floor visitation room. upon being notified by correctional officer J. Hurst to go upstairs. I Mr. Lavonte D. Simmons informed Correctional officer J. Hurst that I Mr. Lavonte D. Simmons has a medical condition of Cerebral Palsy and has been deemed legally handicap by the Social Security admission board when I was four or five year's old as this was a born condition. In addition I Mr. Lavonte D. Simmons informed Correctional officer J. Hurst that there is a bottom tier and bottom bunk restriction and I was restricted from going up any stairs days and that my bond visit needed to be on the bottom floor in the handicap visitation room.

Said Correctional officer J. Hurst told me Mr. Lavonte D. Simmons He did not care and if I Mr. Lavonte D. Simmons did not go upstairs to the bonding visit I Mr. Lavonte D. Simmons would not get a bond visit. I Lavonte D. Simmons was forced to go up fifteen stair's and upon returning down my Mr. Lavonte D. Simmons right hip gave out causing me Mr. Lavonte D. Simmons to fall down all fifteen stair's and was subsequently rushed to university of Tennessee Hospital.

Due to correctional officer J. Hurst disregard for my Mr. Lavonte D. Simmons serious medical condition and placing me Mr. Lavonte D. Simmons in a serious risk of causing death or greater bodily harm violates cruel and unusual punishment of the 8th amend. of U.S. Const. and violation of the 14th amend. of U.S. Const. Due process.

V. RELIEF

(State BRIEFLY exactly what you want this Court to do for you. Make NO legal arguments.

Cite NO cases or statutes.)

Due to the Defendants wrongful action the plaintiff seeks compensatory damages in the amount of one point five million dollars. Also plaintiff seeks an additional one point five million dollars in punitive damages a sum total of three million dollars due to the defendants actions not only being wrongful but also malicious and egregious. Also plaintiff would like for this court to issue a court order banning handicap inmates in Knox co. Detention facility from being placed or forced to go up stairs that placing them in jeopardy  
I (We) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this Lavonte Simmons day of 2/9/, 2014.

as security guard  
injury by possible  
falling down the  
stairs.

Lavonte Simmons  
Signature of plaintiff(s)

Levante Simmons #1137896  
5001 Mayhewville Rd  
Knoxville TN 37918



**Legal RECEIVED**

FEB 27 2014

Clerk, U. S. District Court  
Eastern District of Tennessee  
At Knoxville

**SENDER IS AN INMATE OF  
A CORRECTIONAL FACILITY**

Eastern District of Tennessee  
Clerk of U.S. District Court  
800 Market St, Suite 130  
Knoxville, TN 37902

3790232303

